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09/806,056	06/04/2001	Oded Kafri	P-1934-US	5079

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EXAMINER

PEREZ DAPLE, AARON C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/806,056

Applicant(s)

KAFRI, ODED

Examiner

Aaron Perez-Daple

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Action is in response to Application filed 06/04/01, which has been fully considered.
2. Claims 1-16 are presented for examination.
3. This Action is non-Final.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-5, 7, 12, 13, 15 and 16** are rejected under 35 U.S.C. 102(b) as being anticipated by Penzias (US 5,475,738) (hereinafter Penzias).

6. As for claim 1, Penzias discloses a method of sending an e-mail message from a computer to a telephone, comprising the steps of:

preparing the e-mail message and attaching forwarding information of at least one addressee thereto, said forwarding information including at least the e-mail address of a remote proxy server (Although Penzias does not explicitly use the term, the Examiner finds that the TTS interface 16, Fig. 1, comprises a proxy server.; col. 3, lines 27-42, "Each computer system...the recipient's mailbox."; col. 4, lines 30-49, "The e-mail system sends...messaging system address.");

sending the e-mail message via the internet to said remote proxy server's email address (col. 4, lines 30-49, "The e-mail system sends...messaging system address."; col. 7, lines 18-

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29, "In some conventional...e-mail routing techniques."; Note, the conventional, multiple network environments anticipated by Penzias include the internet, as would be apparent to one of ordinary skill in the art. See, for example, cited reference US 6,445,694 B1, col. 2.);

said remote proxy server ascertaining the telephone number of the at least one addressee (col. 4, lines 50-53, "Database 24 comprises...e-mail addresses."); and

forwarding the e-mail message as a voice message to said telephone number (step 50, Fig. 2; col. 6, lines 36-44, "Once the tone...by processor 18.").

7. As for claim 2, Penzias discloses the method according to claim 1 wherein said forwarding information contains a facsimile or telephone number (col. 3, lines 56-62, "The network address...alternative embodiments, below).").

8. As for claim 3, Penzias discloses the method according to claim 1 wherein said step of sending the e-mail message comprises the steps of:

routing the e-mail message to a MAPI (Message Application Program Interface) Spooler located on a local proxy server coupled to said computer (TTS 16, Fig. 1; col. 4, lines 30-49, "The e-mail system sends...messaging system address."); and

converting the e-mail message to a voice message format (col. 5, lines 37-50, "Step 40 of...by processor 18.").

9. As for claim 4, Penzias discloses the method according to claim 3, wherein said local proxy server comprises a Computer Telephone Integration (CTI) card or a voice modem and wherein said step of sending the e-mail message comprises the step of:

said CTI card or said voice modem transmitting said voice message (col. 4, lines 17-21, "Dialer 22 comprises...the telephone network.").

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10. As for claim 5, Penzias discloses the method of claim 1, wherein said step of ascertaining the addressee's telephone number comprises the step of:

looking-up the addressee's telephone number from a look-up database table located at said remote proxy server, said look-up database table comprising at least the addressee's telephone number and the addressee's incoming internet address (col. 4, lines 50-67, "Database 24 comprises...messaging system 'address.'").

11. As for claim 7, Penzias discloses the method according to claim 1 wherein, wherein said step of forwarding the email message as a voice message comprises the step of:

converting text messages to speech format (col. 5, lines 37-50, "Step 40 of...by processor 18.").

12. As for claim 12, Penzias discloses a method of forwarding an incoming message to a telephone, said message comprising forwarding information of at least one addressee attached thereto, the method comprising the steps of:

ascertaining the telephone number of the at least one addressee (col. 4, lines 50-67, "Database 24...messaging system 'address.'"); and

forwarding the e-mail message as a voice message to said telephone number (step 50, Fig. 2; col. 6, lines 36-44, "Once the tone...by processor 18.").

13. As for claim 13, Penzias discloses a method according to claim 12, wherein said step of ascertaining the addressee's telephone number comprises the step of:

looking-up the addressee's telephone number from a look-up database table located at said remote proxy server, said look-up database table comprising at least the addressee's

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telephone number and the addressee's incoming internet address (col. 4, lines 50-67, "Database 24...messaging system 'address.'").

14. As for claim 15, Penzias discloses the method according to claim 12, wherein said step of forwarding the email message as a voice message comprises the step of:

converting text messages to speech format (col. 5, lines 37-50, "Step 40 of...by processor 18.").

15. As for claim 16, Penzias discloses the method according to claim 12, wherein said incoming message is any one of a group including faxes, telephone voice messages and text messages (col. 4, lines 30-40, "The e-mail system...interface 16.").

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. **Claims 6, 9-11 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Penzias in view of Levac et al. (US 5,872,926) (hereinafter Levac).

17. As for claims 6 and 14, Penzias does not specifically disclose verifying the sender's details and forwarding the message if the sender is an authorized user. Levac teaches verifying a sender's details and forwarding the message only if the sender is an authorized user in order to prevent unauthorized transmissions (col. 5, lines 51-65, "Variable data

received...devices 18a-n.”). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Penzias by verifying a sender’s details and forwarding the message only if the sender is an authorized user in order to prevent unauthorized transmissions, as taught by Levac above.

18. As for claim 9, Penzias discloses a forwarder comprising:

means for extracting forwarding information from an incoming e-mail message (col. 3, lines 27-62, “Each computer system...embodiments, below.”; col. 4, lines 30-49, “The e-mail system...system address.”);

means for forwarding said voice message to the addressee of said forwarding information (col. 4, lines 30-49, “The e-mail system...system address.”; Fig. 1).

Although obvious to one of ordinary skill in the art, Penzias does not specifically disclose means for verifying the sender. Levac teaches means for verifying the sender of an incoming message in order to prevent unauthorized transmissions (col. 5, lines 51-65, “Variable data received...devices 18a-n.”). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Penzias by providing means for verifying the sender of an incoming e-mail message in order to prevent unauthorized transmissions, as taught by Levac above.

19. As for claim 10, Penzias discloses a forwarder according to claim 9, further comprising:

a look-up table containing at least the addressee’s telephone number and the addressee’s incoming internet address (col. 4, lines 50-67, “Database 24 comprises...messaging system ‘address.’”).

20. As for claim 11, Penzias discloses a forwarder according to claim 9, further comprising:

means for converting said e-mail message to a voice message (col. 5, lines 37-50, "Step 40 of...by processor 18.").

21. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Penzias in view of Bobo (US 5,675,507) (hereinafter Bobo). Penzias teaches a conventional AUDIX voice messaging system which, in it's normal function, would be enabled for recording the addressee's reply to a voice message and storing the message in a compressed format at a local server (col. 5, line 18 - col. 7, line 13, "Fig. 2 is a...voice message therein."). Penzias does not specifically teach storing the message as a wave file. The wave format is a well-known compression format for audio files, as taught by Bobo (col. 12, line 63 - col. 13, line 14, "A process for...was received."). Furthermore, Bobo also teaches an internet enabled system for storing, archiving and retrieving audio messages at a local proxy server which, although not required to teach the claim limitations, could readily be combined with Penzias by replacing the AUDIX voice messaging system (col. 4, lines 54-67, "To achieve the foregoing...page layout language."; Figs. 1 and 2). It would have been obvious to one of ordinary skill in the art to modify Penzias by recording the addressee's reply as a wave file because this is a well-known compression format for audio media, as taught by Bobo above.

### *Conclusion*

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,404,764 B1, note Fig. 4; US 6,417,933 B1, note Fig. 1; US 6,445,694 B1, note col. 2; US 6,447,494 B2, note Fig. 2; US 6,633,630 B1, note Fig. 1; US 6,731,625 B1, note Fig. 15; US 5,937,161 A, note teaches user-specified destination address.





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23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Perez-Daple whose telephone number is 703-305-4897. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Aaron Perez-Daple

  
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